



St Monica Trust

## **Privacy Notice for Customers, Residents, Tenants, Leaseholders, Other Service Users and Beneficiaries**

St Monica Trust is a registered charity and registered company with responsibility for registered care homes, registered domiciliary care services, housing tenancies, and lease purchased properties, community grants, volunteer services and community services.

St Monica Trust is registered as a data controller with the ICO.

To provide services, we need to collect and use personal information. This includes information about our residents, tenants, leaseholders, other service users and beneficiaries. This Privacy Notice explains how we collect, use and share the personal information we collect from you, the legal basis under which we collect this information, and explains how you can contact us if you have any questions or concerns about how your personal information is being used.

We welcome any queries you may have regarding this Privacy Notice, or any information we hold about you.

### **Your personal data – what is it?**

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual.

### **The law**

The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (GDPR), the Data Protection Act 2018, and other legislation relating to personal data and rights such as the Human Rights Act).

If you have any questions or concerns about the way we process your personal data, our Data Protection Officer can be contacted at [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk).

## **Section 1. How we collect information about you**

We collect a variety of information in a number of ways, including, but not limited to:

- When you apply for a care home placement
- When you apply for care services or community services
- When you sign a tenancy agreement
- Through on-going contact to manage your tenancy or lease and provide you with services
- When you apply for a grant
- If you make a complaint
- When we collect rent or services charges
- When you join our community activity groups
- When you buy or sell your property
- When you receive support from a volunteer

## **Section 2. Who we collect information about**

We collect personal information about tenants, leaseholders, customers, residents and beneficiaries. This includes current and potential customers, those who live in our properties or access our support and other services, and could also include their family, household members and other people associated with them. We also collect information about customers who receive care, support and cleaning services in their own homes.

Anyone who makes a complaint or enquiry and visitors to our website and offices.

## **Section 3. What we use your personal information for**

We use the information we collect so that we can deliver services to you. We use your information to:

- Manage housing allocations and lettings
- Manage your tenancy/lease and the property
- Process rent and service charges
- Provide a repairs and maintenance service
- Provide care and support services
- Investigate complaints
- Engage with customers to get feedback on our services
- Help target and deliver our services more effectively
- Comply with legal, regulatory and professional obligations
- Provide quality assurance and training
- Process requests from third parties for example Council Tax
- Keep you informed about St Monica Trust activities (e.g. newsletter and other mailings)
- Comply with health and safety regulations
- Acoustic Monitoring (please see separate Privacy Notice)

## **Section 4. Our legal basis for using your personal data**

For processing to be lawful we must identify a legal basis before we can use personal data. This means that we must identify a 'condition for processing' stipulated within the relevant data

protection law. There are more stringent conditions attached to processing sensitive personal data.

Whenever St Monica Trust collects personal data we will tell you how we will use it, including who it may be shared with and our legal basis for processing (for example to perform a contract with you or if it is with your consent).

Generally, the legal basis under which we process personal data will be:

- We have your consent to do so
- The processing is necessary for the performance of a contract
- Legitimate interests when required to provide a service
- The processing is necessary for compliance with a legal obligation

## **Section 5. Categories of personal information processed**

We process information relevant to the above reasons/purposes. This information may include:

- Personal details
- Financial details
- Complaints
- Health, safety and security details
- Visual images, personal appearance

## **Section 6. Information collected on our website**

The information we collect fits into two categories:

- Personal information entered into our systems e.g. enquiry details
- Anonymous statistical information collected by cookies.

If you request a call back or information from us via an email, online form, or register your interest in a service we will use your information to fulfil that request.

## **Section 7. Marketing and research**

- Only where you have given consent, we may send you promotional information about new products, special offers or other information which we think you may find interesting. Your consent may be withdrawn at any time.
- Only where you have given consent, we may contact you from time to time for market research purposes via email, phone, fax or mail. Your consent *may be withdrawn at any time*.

## **Section 8. GP Connect**

We use a facility called GP Connect to support your direct care. GP Connect makes patient information available to all appropriate clinicians when and where they need it, to support direct

patients care, leading to improvements in both care and outcomes.

GP Connect is not used for any purpose other than direct care.

Authorised Clinicians such as GPs, NHS III Clinicians, Care Home Nurses (if you are in a Care Home), Secondary Care Trusts, Social Care Clinicians are able to access the GP records of the patients they are treating via a secure NHS England service called GP Connect.

Legal basis for sharing this data

In order for your Personal Data to be shared or processed, an appropriate “legal basis” needs to be in place and recorded. The legal basis for direct care via GP Connect is the same as the legal basis for the care you would receive from your own GP, or another healthcare provider:

- for the processing of personal data: Article 6.1 (e) of the UK GDPR: “processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller”.
- for the processing of “Special Category Data” (which includes your medical information): Article 9.2 (h) of the UK GDPR: “processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services”.

Your rights

Because the legal basis used for your care using GP Connect are the same as used in other direct care situations, the legal rights you have over this data under UK GDPR will also be the same - these are listed below.

## **Section 9. CCTV**

Some of our sites and properties have CCTV in public areas to deter crime and promote public safety by helping to identify and prosecute criminal offenders.

Notices advising you of this are displayed in various locations on all sites. Details of these locations are available from the on-site porter team.

## **Section 10. How we may share your personal information**

We may sometimes need to share information with contractors or third parties, other agencies, or organisations that help support you. These include, but are not restricted to, local authorities, medical practitioners, social services, police, support agencies, when we believe that it is in your or the public’s interest to do so, or is required by law or where it is necessary to do so for the prevention and detection of crime. Where this is necessary, we are required to comply with data protection laws.

Please be aware:

- Current or forwarding contact details may be shared with utility companies and Council Tax offices, for example, to ensure billing details are correct.

- If you default on any tenancy/licence conditions, information about you may be provided to debt recovery agencies, to enable them to recover the debt.

Examples of organisations we may share your information with, where appropriate, are:

- Contractors
- Council tax
- Housing benefits
- Social services
- Police forces
- Utilities companies
- Debt recovery agencies
- Courts
- HMRC
- Suppliers and service providers
- Fire service
- Support agencies
- Health services
- Auditors
- Survey and research organisations
- Health and social welfare organisations

We may also share personal information on a collective basis with other organisations to help us gain insights into our customer base, so we can target and deliver our services in more effective ways.

Whenever we do this, we will ensure that your personal information is handled under strictly controlled conditions and in accordance with the requirements of Data Protection legislation.

### **Section 11. Keeping your information secure**

We are committed to ensuring that your information is kept secure. We have separate IT policies which set out how we keep the information held on our systems secure. We also have a number of physical security measures in place, such as office security and confidential destruction of wastepaper. For more information please contact us.

### **Section 12. Transfers overseas**

It may sometimes be necessary to transfer your personal information overseas, for example, where information is stored on a server that is physically located in another country. Where this is the case we will make sure that that country is either a member of the European Economic Area (EEA) or if the country is not a member of the EEA we will make sure that their operations are in full compliance with all aspects of data protection legislation.

### **Section 13. How long we keep your data for?**

All personal data processed by St Monica Trust is held in accordance with our records management policy which stipulates that information will only be held where there is a statutory requirement to keep it or where we have a legitimate business need.

Information will be held in line with the time periods specified within the records retention schedule.

## **Section 14. Your rights**

### **Right to be informed**

This means that we are obliged to provide you with clear and transparent information about how we use your personal information when we collect it.

This privacy notice explains how we use the personal information we collect; and explains how you can contact us if you have any questions or concerns about how your personal information is being used.

### **Right of access**

You have the right to see the personal data we process about you.

You can request to see any of the information that we may hold about you, but the more specific you can be about what you require, the quicker we can respond to your request.

Please be aware that we may need to edit or remove some information if it relates to other people, as we must protect the privacy rights of all individuals.

The Trust is also able to refuse to respond where it believes a request for information is unreasonable. In which case we will advise you of your right to complain to the supervisory authority.

### **Right to rectification**

You are entitled to have your personal data rectified if it is inaccurate or incomplete. We will investigate and respond within one month (extendable to two months where the request is complex).

### **Right to erasure ('the right to be forgotten')**

You have the right to request the deletion or removal of personal data where there is no compelling reason which allows us to continue using it.

There are some specific circumstances where the right to erasure does not apply, these are:

- Exercising the right of freedom of information
- Compliance with a legal obligation
- Performance of a task that is carried out in the public interest e.g. public health
- Exercising the defence of legal claims

### **Right to restrict processing**

You have the right to 'block' or suppress processing of your personal data, for example, where you contest the accuracy of your personal data, you can request that we cease processing until the accuracy of the information has been verified.

### **Right to data portability**

This allows you to obtain and reuse your personal data for your own purposes across different services. It allows you to move, copy or transfer your personal data from one IT environment to another in a safe and secure way.

This means that, where requested, and where applicable, we must provide you with your personal data in a 'machine readable' way which enables other organisations to use your data.

We will respond to requests within one month (extendable to two months where the request is complex).

### **Right to object**

You have the right to object to:

- Processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling)
- Direct marketing (including profiling); and
- Processing for purposes of scientific/historical research and statistics

Where an objection is made to direct marketing, we will cease processing as soon as we receive the objection.

### **Rights in relation to automated decision making and profiling**

This right provides you with safeguards against the risk that a potentially damaging decision could be made about you without human intervention i.e. a decision made as the result of automatic processing by a computer programme.

St Monica Trust does not carry out automated decision making.

### **Right to withdraw consent**

You have the right to withdraw your consent for processing your personal details at any time, and where there is no other lawful basis which permits us to continue using your information your personal details will be removed from our records and systems.

Please note that some of the personal data that we process about you will be necessary to comply with a legal obligation. In these circumstances we may not be able to cease the processing.

You may still notify us of your wish to withdraw your consent and we will consider each request on a case by case basis.

## **Section 13. Complaints**

If you have a concern about the way in which we are handling your personal information then please contact our DPO at [i-west@bathnes.gov.uk](mailto:i-west@bathnes.gov.uk).

We will take your concern seriously and work with you to try to resolve it.

If you are not satisfied with our response you can raise the matter with the Information Commissioner's Office (ICO) via their website or call their helpline on 0303 123 1113.

#### **Section 14. Updates to our Privacy Notice**

This privacy notice will be updated to reflect changes either to the way in which we operate or changes to the data protection legislation.